

Message

From: Hewitt, James [hewitt.james@epa.gov]
Sent: 8/10/2020 8:09:59 PM
To: Leopold, Matt (OGC) [Leopold.Matt@epa.gov]; Brazauskas, Joseph [brazauskas.joseph@epa.gov]; Voyles, Travis [Voyles.Travis@epa.gov]; Fotouhi, David [Fotouhi.David@epa.gov]; Cody, Meredith [cody.meredith@epa.gov]; Willey, Katharine [willey.katharine@epa.gov]; Mutz, John (Fletcher) [mutz.john@epa.gov]
CC: Block, Molly [block.molly@epa.gov]
Subject: FW: RELEASE: Maloney, Rouda, Speier Demand IGs Investigate U.S. Army Corps of Engineers' Environmental Review of Pebble Mine Project

All, please see below. Looking for direction on a response to this part of the press release:

The Members also sent a letter to EPA Inspector General Sean O'Donnell requesting an investigation into the reversal of its Proposed Determination under section 404(c) of the Clean Water Act to "restrict the use of certain waters in the Bristol Bay watershed for disposal of dredged or fill material associated with mining the Pebble deposit, a large ore body in southwest Alaska."

From: Rachel Frazin <rfrazin@thehill.com>
Sent: Monday, August 10, 2020 4:02 PM
To: Press <Press@epa.gov>
Subject: Fwd: RELEASE: Maloney, Rouda, Speier Demand IGs Investigate U.S. Army Corps of Engineers' Environmental Review of Pebble Mine Project

Hi there,

Do you all want to comment on this? I know you've directed my previous Pebble inquiries to USACE, but it looks like the lawmakers are also asking for a probe into EPA actions.

This is relatively breaking so I'd appreciate a quick reply if possible.

Best,

Rachel Frazin
Energy and Environment Reporter, The Hill
561-212-2815

----- Forwarded message -----

From: Oversight Committee Democrats Press Office <oversightpress@mail9.housecommunications.gov>
Date: Mon, Aug 10, 2020 at 3:05 PM
Subject: RELEASE: Maloney, Rouda, Speier Demand IGs Investigate U.S. Army Corps of Engineers' Environmental Review of Pebble Mine Project
To: <rfrazin@thehill.com>



FOR IMMEDIATE RELEASE: Aug. 10, 2020
CONTACT: Aryele Bradford, (202) 226-5181

Maloney, Rouda, Speier Demand IGs Investigate U.S. Army Corps of Engineers’ Environmental Review of Pebble Mine Project

Washington, D.C. (Aug. 10, 2020)—Today, Rep. Carolyn B. Maloney, the Chairwoman of the Committee on Oversight and Reform, Rep. Harley Rouda, the Chairman of the Subcommittee on Environment, and Committee Member Rep. Jackie Speier, sent a letter to the Inspectors General at the Department of Defense and the U.S. Army requesting an investigation into the U.S. Army Corps of Engineers’ (Army Corps) environmental review of the Pebble Limited Partnership’s dredge-and-fill permit application under Section 404 of the Clean Water Act and the National Environmental Policy Act (NEPA) for the proposed Pebble Mine project in Bristol Bay, Alaska.

“The Committee is concerned that the Army Corps expedited the Clean Water Act permitting and NEPA review process at the expense of a thorough scientific review,” the Members wrote. “It appears that this timeline is inappropriate for a hardrock mine of this scale, complexity, and potential regional and state environmental, social, and economic impacts—especially during the ongoing coronavirus pandemic.”

The full development of the Pebble Partnership’s proposed gold and copper mine in Alaska would be the largest in North America. A broad coalition of groups and individuals oppose the mine because of the environmental damage it would cause and in July 2014, after three years of study, the Environmental Protection Agency (EPA) Region 10 issued a Proposed Determination, which found serious negative environmental consequences of mining copper and gold in Bristol Bay, Alaska. Last week, Donald Trump, Jr. also tweeted his opposition to the mine stating that the “headwaters of Bristol Bay and the surrounding fishery are too unique and fragile to take any chances with.”

“[D]espite repeated pleas and requests from federal, state, local, and tribal cooperating agencies and stakeholders for a more comprehensive review process, it appears that the Army Corps set aside thorough scientific review in favor of an expedited permitting timeline,” the Members wrote.

On December 22, 2017, the Pebble Limited Partnership submitted an application to the Army Corps for authorization under the Clean Water Act and Section 10 of the River and Harbors Act. This application failed to include essential information regarding mine construction, operation, maintenance, and closure plans necessary to adequately develop an EIS under NEPA or conduct review under the Clean Water Act.

On January 5, 2018—only eight business days after receiving the application – the Army Corps posted a public notice that the application had been received, thus signaling that the application was deemed complete.

In 2019, the EPA abruptly dropped its opposition to the mine in order to allow the project to enter the NEPA permitting process. This reversal appears to have been motivated by political influence and not by scientific analysis; it has been reported that EPA staff disclosed that this decision was made at EPA on June 27, 2019, a day after the President met with Alaska’s Governor Mike Dunleavy on Air Force One, which raises questions about whether EPA’s decision to withdraw the Proposed Determination was arbitrary and capricious.

The Members also sent a letter to EPA Inspector General Sean O'Donnell requesting an investigation into the reversal of its Proposed Determination under section 404(c) of the Clean Water Act to “restrict the use of certain waters in the Bristol Bay watershed for disposal of dredged or fill material associated with mining the Pebble deposit, a large ore body in southwest Alaska.”

Click [here](#) to read today’s letter to the Department of Defense and U.S. Army.

Click [here](#) to read today’s letter to the EPA.

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Committee on Oversight & Reform - Majority, 2157 Rayburn House Office Building, Washington, DC 20515 United States